Division Bench

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

M.A. (C) NO. 327 / 2006 (D.B.)

Appellant : Yogesh Kumar
(Claimant) S/o Tekeshwar Sahu,
Aged about 20 years
R/o Mudpar,
P.O – Sandi, Raipur,
Dist : Raipur-(C.G.)
At present Urla, Raipur,
Dist : Raipur-(C.G.)

P.R. No. 3127/06
Presented by C.R. Sahu
dated 11/12/06

Versus

Respondents : 1. Mohammad Nasim Khan
(Non-Claimant) S/o Mohammad Ismail,
R/o Trimurthi Nagar,
Block – Janta Type-A-7,
Police Station – Ganj,
Dist : Raipur-(C.G.)
---Driver of the vehicle bus---

2. Sushil Kumar
R/o Ghanshyam Singh Banchor
R/o Rani Tarai,
Police Station Rani Tarai,
Dist : Durg-(C.G.)
---Owner of the vehicle bus---

3. The Oriental Insurance Co.Ltd.,
Through Divisional Manager,
Jail Road, Raipur,
Dist : Raipur-(C.G.)
---Insurer of the Vehicle---

(6)

MISC. APPEAL U/S 173 (1) OF THE MOTOR VEHICLES ACT, 1988

HIGH COURT OF CHHATTISGARH; BILASPUR
(LOK ADALAT)

MISCELLANEOUS APPEAL (C) No. 327 OF 2006

Appellant : Yogesh Kumar

Versus

Respondents: Mohammad Nasim Khan & Others

(Arising out of Claim Case No.25 of 2006)

3-3-2007

Shri C.R. Sahu, counsel for the appellant.

None for respondents No.1 and 2.

Shri Yogesh Vithalani, Divisional Manager, Oriental Insurance Company Limited with Shri A.K. Athaley, counsel for respondent No.3.

In terms of compromise, award is passed as below :-

1) In addition to compensation already awarded by the Tribunal, respondent No.3 shall pay Rs.50,000/- (Rupees Fifty Thousand Only) to the appellant.
2) For disbursement and deposit in FDR, the Tribunal may pass appropriate orders.
3) The amount, if any, kept in deposit with Bank shall be payable under the orders of Tribunal in accordance with law.
4) Appellant shall be entitled to receive interest on the amount so deposited, if any.
5) In view of the above, appeal against respondents No.1 & 2 stands dismissed.
6) Out of the above amount, Rs.500/- (Rupees Five Hundred Only) shall be paid to counsel for the appellants directly by respondent No.3 towards counsel fee.
7) If the amount awarded is not deposited within a period of one month, the Insurance Company shall be liable to pay interest at the rate of 9% per annum thereafter.
8) Copy of the award shall be given to the parties free of cost.

Sd/-
Justice Vijay Kumar Shrivastava
High Court of Chhattisgarh
Bilaspur

Sd/-
Member – Lok Adalat
High Court of Chhattisgarh
Bilaspur

Gowri